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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,136	11/20/2001	Ylian Saint-Hilaire	042390.P12982	9435

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EXAMINER

PEYTON, TAMMARA R

ART UNIT PAPER NUMBER

2182

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/989,136	Applicant(s) SAINT-HILAIRE ET AL.	
	Examiner Tammara R. Peyton	Art Unit 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/27/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-44 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

Based on an oversight in the previous Office Action Examiner is submitting that the following claims are in a condition to be restricted.

Election/Restrictions

Restriction to one of the following inventions is requirement under 35 U.S.C. 121:

I. Claims 1-15 and 31-40, drawn to defining a service-specific protocol to facilitate remote control of a service provided by the remote device; sending data corresponding to the service provided by the remote device via a host-side software module running on a host computer in a format defined by the service-specific protocol from the host computer to the remote device over a network communication link; and sending control commands from the host computer to the remote device based on the service-specific protocol to cause the remote device to perform the service using the data that are sent to the remote device, classified in class 709, subclass 230.

II. Claims 16-21, drawn to establishing a network communication link between the remote display device and a host computer; determining display capabilities of the remote device; sending display data corresponding to the display content from the host computer to the remote display device over the network communication link, said data having a format corresponding to display capabilities of the remote device; sending display commands corresponding to a display service protocol indicating how the

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display data are to be displayed on the remote display device; and displaying the display data on the remote display device in response to the display commands, classified in class 345, subclass 522.

III. Claims 22-28 and 41-44, drawn to a method for enabling a remote device to provide input to a host computer comprising: establishing a network communication link between the remote device and the *host computer* defining an input service protocol including a plurality of input primitives, each input primitive corresponding to a respective input event; processing input events using an input service software module running on the remote device to produce input primitives corresponding to the input events; sending the input primitives to the host computer; and converting the input primitives into application inputs using a host-side input service module running on the host computer, classified in class 713, subclass 201.

IV. Claims 29-30, drawn to establishing a network communication link between the remote device and the host computer; defining an input service protocol including a plurality of verbal input commands, each input primitive corresponding to a respective input event; in response to receiving verbal input at the remote device, generating digitized audio data corresponding to the verbal input commands; sending the digitized audio data to the host computer via the network communication link; processing the digitized audio data using speech recognition software running on the host computer to determine if the verbal input contains verbal input commands corresponding to the input

service protocol; and using such verbal input commands to control an action of the host computer, classified in class 709, subclass 200.

Inventions I, II, III, and IV are related as **subcombinations disclosed as usable together in a single combination**. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, Invention II has separate utility such as “...determining display capabilities of the remote device; sending display data corresponding to the display content from the host computer to the remote display device over the network communication link, said data having a format corresponding to display capabilities of the remote device; sending display commands corresponding to a display service protocol indicating how the display data are to be displayed on the remote display device...”, Invention III has a separate utility such as “establishing a network communication link between the remote device and the host computer defining an input service protocol including a plurality of input primitives,” and Invention IV has a separate utility such as “defining an input service protocol including a plurality of verbal input commands, each input primitive corresponding to a respective input event; in response to receiving verbal input at the remote device, generating digitized audio data corresponding to the verbal input commands; sending the digitized audio data to the host computer via the network communication link; processing the digitized audio data using speech recognition software running on the host computer to determine if the verbal input contains verbal input commands corresponding to the input service

protocol; and using such verbal input commands to control an action of the host computer", "See MPEP j 806.05(d).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (571) 272-4157. The examiner can normally be reached between 6:30 - 4:00 from Monday to Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4083. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Mailed responses to this action should be sent to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231.

Faxes for Official/formal (After Final) communications or for informal or draft communications (please label "PROPOSED" or "DRAFT") sent to:

(571) 273-8300

Hand-delivered responses should be brought to:

USTPO, Randolph Building, Customer Service Window

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401 Dulany Street

Alexandria, VA 22314.

TAMMARA PEYTON
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read "Tammara Peyton", written in a cursive style.

Tammara Peyton

June 26, 2006